

# Committee on Resources

## Subcommittee on Fisheries Conservation, Wildlife and Oceans

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### Statement

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**STATEMENT OF  
THE HONORABLE F. ALLEN BOYD, JR.**

**May 11<sup>th</sup>, 2000**

**BEFORE THE HOUSE RESOURCES SUBCOMMITTEE ON FISHERIES CONSERVATION,  
WILDLIFE AND OCEANS  
AT A HEARING ON H.R. 4070**

Chairman, first of all, I want to thank you and the other members of this Subcommittee for allowing me the privilege of testifying before you about H.R. 4070, legislation that I introduced along with my Florida colleague, Representative Joe Scarborough. This legislation will correct a boundary mistake made on a map in the Department of Interior's 1988 report to Congress on the Coastal Barrier Resources System. The map was subsequently adopted by Congress in the 1990 Coastal Barrier Improvement Act.

The St. Joe Company owns 45 acres east of the City of Mexico Beach, Florida. In 1988, the U.S. Fish and Wildlife Service (the "Service") proposed certain additions and modifications to the Coastal Barrier Resources System (CBRS). This proposal was accompanied by maps which depicted the existing boundaries of the CBRS as well as the proposed additions and modifications. However, while the maps expressly reported to show the existing CBRS boundaries, at least one of them instead contained a boundary line that erroneously included about 45 acres of St. Joe property. Because the boundary was unintentionally misdrawn, neither the property owner nor Congress was given notice of this action. In 1990, Congress enacted the Coastal Barrier Improvement Act. The CBRS maps adopted by Congress with the 1990 Act included the erroneous boundary line from the Service's proposed map.

Several years after the Mexico Beach property was mistakenly included in the CBRS, St. Joe Company representatives discovered the mistake while examining maps at the Federal Emergency Management Agency. Last year, representatives of St. Joe met with Department of Interior and Service officials to discuss the mistake. As a result of those discussions, a letter was written to the Company from the Acting Director of the United States Fish and Wildlife Service, Gary Frazier, acknowledging that a boundary mistake had been made and stating that the Service would not object to legislation to correct the mistake. Specifically, Mr. Frazier stated:

"The Service recognizes that in the 1988 Report to Congress the inclusion of the property in question was not identified as a boundary change for this unit, either in the accompanying map or text of the Report. Regrettably, this meant that neither the property owner nor Congress was provided with adequate notice of the boundary change reflected in the revised map for P-31. Therefore, because of this error in the Report and the equities associated with this specific situation, the Service would not oppose future legislative action to remove the 45 acres owned by the St. Joe Company from the System."

The St. Joe Company has taken the proper steps in approaching the Department of Interior and the Service

about this problem. I am here today to ask this Committee to take the next step in this process by favorably reporting out the bill that Representative Scarborough and I have introduced to correct this mistake. It has been over ten years since Congress enacted the legislation which adopted the new map misdrawing the boundary of the Mexico Beach property. Therefore, I urge this Subcommittee to act expeditiously on H.R. 4070.

Thank you Mr. Chairman and I stand ready to try and answer any questions that my colleagues might have.

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